

Mayor

Yiozet De La Cruz

City Council Members

Chairman Luciano "Lucky" García
Vice Chairman Rolando "Roly" Piña
Council member Jorge A. Merida
Council member Jorge Gutierrez
Council member Elmo L. Urra

PUBLIC NOTICE: TO ALL CONCERNED CITIZENS OF HIALEAH GARDENS, FLORIDA. NOTICE TO BE POSTED AT CITY HALL.

**AGENDA: REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
February 2, 2010 – 7:30 P.M.**

NOTE: In compliance with Robert's Rules of Order, all speakers will be heard only on items which are on the agenda and opened by the Chairperson for discussion by the public. Speakers will be limited to five minutes, unless the Chairperson allows more time for presentation.

ATTENTION ALL LOBBYISTS: Chapter 2, Section 2-308 of the City Code of Hialeah Gardens entitled "Lobbying" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Council, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyist's laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

AGENDA –February 2, 2010 – 7:30 P.M. -COUNCIL CHAMBERS

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Deletions/Emergency Additions**
- 6. Review of Minutes:** January 19, 2010
- 7. Public Comments**
- 8. Florida League of Cities, Return of Premium presentation:** Mr. Jim McGinn representing the Florida Municipal Insurance Trust (FMIT).
- 9. Recommendation for Baseball Uniforms (R.F.P. 2009-01):** Mr. Walter Dubon, Director Parks and Recreation Department.
- 10. Proposed Resolutions:**
 - A) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, SUPPORTING A BAN ON TEXT MESSAGING WHILE OPERATING A MOTOR VEHICLE, OR ALTERNATIVELY SUPPORTING STATE LEGISLATION PERMITTING LOCAL MEASURES TO BAN TEXT MESSAGING WHILE OPERATING A MOTOR VEHICLE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
 - B) RESOLUTION OF THE CITY OF HIALEAH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN LOURDES MARTINEZ-LEON M.S.R.D./L.D. AND THE CITY OF HIALEAH GARDENS CONCERNING PROFESSIONAL NUTRITION AND DIETARY CONSULTATION AS REQUIRED BY THE DEPARTMENT OF ELDER AFFAIRS AND THE ALLIANCE FOR AGING; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AGENDA –FEBRUARY 2, 2010 – 7:30 P.M. -COUNCIL CHAMBERS**11. Second Reading / Public Hearing for consideration and final adoption of the following ordinances:**

- A) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, REPEALING AND REPLACING ORDINANCE # 2009-22 FOR WEST GARDEN PLAZA, CONCERNING PROPERTY LEGALLY DESCRIBED AS: (O.R.B. 15117 PG. 3295) THE WEST 225 FEET OF THE EAST 515 FEET OF TRACT 61, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION No. 1" OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA LESS: THE NORTH 25 FEET THEREOF AND LESS THE FOLLOWING DESCRIBED PARCEL OF LAND: BEGIN AT THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED PARCEL, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID TRACT 61 FOR 68.06 FEET; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 25 FOR 89.91 FEET TO A POINT ON THE WESTERLY LINE OF THE ABOVE DESCRIBED PARCEL; THENCE SOUTHERLY ALONG THE WEST LINE OF ABOVE DESCRIBED PARCEL FOR 57.09 FEET TO THE POINT OF BEGINNING AND: (O.R.B. 19304 PG. 3813) THE WEST 20 FEET OF THE EAST 535 FEET OF TRACT 61 LESS THE RIGHT-OF-WAY OF STATE ROAD NO. 25 IN SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, "FLORIDA FRUIT LAND COMPANY'S SUBDIVISION NO. 1", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA. BEST DESCRIBED AS FOLLOWS: COMMENCE AT NE CORNER OF TRACT 61 OF "FLORIDA FRUIT LAND COMPANY'S DIVISION NO. 1" OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; THENCE RUN S89°39'50"W ALONG THE CENTER LINE OF NW 95 STREET FOR 290.00 FEET; THENCE RUN S01°45'56"E, FOR 25.00 FEET TO A POINT OF BEGINNING (POB) OF THE HEREINAFTER DESCRIBED PARCEL OF LAND, SAID POINT IS LOCATED ON SOUTH RIGHT OF WAY OF

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NW 95 STREET; THENCE RUN S89°39'50"W ALONG THE SAID SOUTH RIGHT OF WAY FOR 245.07 FEET; THENCE RUN S01°45'56"E, FOR 230.91 FEET TO A POINT LOCATED ON NORTH RIGHT OF WAY OF RIGHT OF WAY LINE OF S.R. 25 AS SHOWN IN FDOT RIGHT OF WAY MAP 87090-2518; THENCE RUN S50°56'14"E ALONG THE NORTH RIGHT OF WAY OF SAID S.R. 25 FOR 116.35 FEET TO A POINT; THENCE RUN N89°39'50"E, FOR 157.01 FEET; THENCE RUN N01°45'56"W, FOR 304.78 FEET TO THE POINT OF BEGINNING. CONTAINING: 71,418 SQR FT. +- APPROX. 1.64 ACRES, PROVIDING FOR CONDITIONS; PROVIDING FOR EFFECTIVE DATE.

Tabled 01-19-10

- B) ORDINANCE OF THE CITY OF HIALEAH GARDENS, FLORIDA, REPEALING AND REPLACING ORDINANCE # 2009-20 FOR TRIANGLE VENTURE SUBDIVISION, CONCERNING PROPERTY LEGALLY DESCRIBED AS: THAT PORTION OF TRACT 33 LYING NORTHEASTERLY OF STATE ROAD S.R. 25 (U.S. 27) LESS THE NORTH 100.00 FEET THEREOF, "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION" No 1" OF SECTION 3, TOWNSHIP 53 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, AT PAGE 17, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; LESS THE EAST 200.06 FEET. FOLIO #: 27-3003-001-0431, PROVIDING FOR CONDITIONS, PROVIDING FOR EFFECTIVE DATE.

12. City Attorney's Report

13 Mayor's Report – Miscellaneous

14. Council Members Concerns / Reports / Board Appointments

15. Adjournment

Agenda certified by:

Maria L. Joffe
City Clerk

AGENDA –FEBRUARY 2, 2010 – 7:30 P.M. -COUNCIL CHAMBERS

Any person desiring to appeal any decision made by the Council with respect to any matter considered at this meeting will need a record of the proceedings, and it will be their responsibility to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

SCHEDULE OF MEETINGS

CITY COUNCIL

Tuesday, February 16, 2010, 7:30 P.M.

PLANNING AND ZONING BOARD

Monday, February 8, 2010, 7:30 P.M.

TECHNICAL REVIEW COMMITTEE

Thursday, February 4, 2010, 11:30 A.M.

WATER AND SEWER BOARD

Tuesday, February 23, 2010. 7:00 P.M.

POLICE PENSION BOARD

Wednesday, April 28, 2010, 5:30 P.M.